

PENACHIO MALARA, LLP

ATTORNEYS AT LAW

245 Main Street, Suite 450
White Plains, New York 10601

FRANCIS J. MALARA*
ANNE J. PENACHIO*

JENNIFER RAGGO, Paralegal

*Also admitted in CT

Telephone (914) 946-2889
Facsimile (914) 206-4884
www.pmlawllp.com

frank@pmlawllp.com
apenachio@pmlawllp.com
jraggo@pmlawllp.com

May 10, 2024

Electronically Filed

The Honorable Cathy Seibel
United States District Court
The Charles L. Brieant Jr. Federal Building and Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Laura Christy Midtown, LLC
Civil Action Case Number:7:24-cv-02867-CS

David Ghatanfard
Civil Action Case Number:7:24-cv-02858-CS

Dear Judge Seibel:

I serve as counsel to David Ghatanfard (“Ghatanfard”) and Laura Christy Midtown LLC (“LCM”), in connection with the above-referenced related appeals. This letter is being filed in each case.

Since the appeals were filed, interim trustees have been appointed in each of the underlying bankruptcy cases. Issues regarding LCM’s standing and the need for a stay have been raised. Following communications among the undersigned and counsel for the Trustees and the appellees, I am writing to advise the Court of the following:

1. LCM will be withdrawing its motion for a stay (Dkt. No. 5). I will file a letter on the docket as to same. I will review the standing issues raised and, if appropriate, withdraw the appeal.

2. There is no pending motion for a stay in the Ghatanfard appeal. I will file a letter confirming that no motion for a stay is currently pending at this time.

If the foregoing is not acceptable to the Court or the Court would prefer an alternate procedure, please let me know.

Thank you.

Respectfully,
/s/ Anne Penachio

Anne Penachio

AP:jr

Cc: Neil Berger, Esq. Counsel for Albert Togut, Esq. (Chapter 7 interim Trustee of LCM)
(neilberger@teamtogut.com)

Yann Geron, Esq., Chapter 7 Trustee of Ghatanfar
(ygeron@geronlegaladvisors.com)

Josef Nussbaum, Esq.
(jnussbaum@jk-llp.com)

Ilana Volkov, Esq.
(ilana.volcov@mcgrailbensinger.com)

Veronique Urban, Esq.
(veronique.urban@mcgrailbensinger.com)